



Cerus-5100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Adonis Stassinopoulos

Group No. 1651

FEB 06 2003

Serial No. 09/872,466

Examiner: Jean C. Witz

TECH CENTER 1800/2900

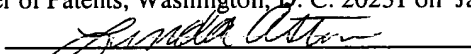
Filing Date: May 31, 2001

For: **PREPARATION OF A PATHOGEN INACTIVATED SOLUTION OF
RED BLOOD CELLS HAVING REDUCED IMMUNOGENICITY**

#5
M.G.J
2/13/03

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D. C. 20231 on January 29, 2003.


Linda Aston

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Election Requirement mailed October 2, 2002 for which a response was due November 2, 2002, for which a 3 month extension of time is requested to extend the time for response to February 2, 2003.

The Examiner has required Applicants under 35 U.S.C. § 121 to elect a single disclosed species.


Applicants hereby elect the compound having an affinity for nucleic acids as β -alanine, N-(acridin-9-yl), 2-[bis(2-chloroethyl) amino]ethyl ester and the antigen masking compound as N-hydroxy succinimide butanoic acid monomethoxy polyethylene glycol. With this election, claims 1-14, 26-42, and 44-55 remain under consideration. Applicants withdraw claims 15, 25, and 43 from consideration. Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority to this application. Applicants further request rejoinder of withdrawn species claims upon allowance of a claim that encompasses the currently withdrawn species (MPEP 809.02 (c)). Applicants request examination of the elected subject

matter on the merits.

The Commissioner is hereby authorized to charge any fees associated with this petition or credit any overpayment to **Deposit Account No. 19-4315**.

Respectfully submitted
CERUS CORPORATION

Date: January 29, 2003

By: 
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